

Attachment # 4  
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**From:** "Arnold, Dwight" <ArnoldDw@talgov.com>  
**To:** "Brian Waterman" <WatermanB@mail.co.leon.fl.us>  
**Date:** 7/21/03 8:54AM  
**Subject:** RE: Sunsetting Vested Rights

Brian, I understand why you have chosen the option you have but personally feel the more that can be removed the better off everyone is. The process to recertify vesting is not that difficult for the applicant and may result in additional savings. I recommend you go with option two as it will benefit the community as a whole better than option one.

Thanks for the opportunity to review the material.

-----Original Message-----

From: Brian Waterman [mailto:WatermanB@mail.co.leon.fl.us]  
Sent: Wednesday, July 09, 2003 11:35 AM  
To: Denny.Wood@dot.state.fl.us; june.coats@dot.state.fl.us;  
ARPC6@gulf.net; Andrea Bird; Harry Chaires; John Kraynak; Sally Dowlen;  
Tony Park; plaa@mail.leon.k12.fl.us; ArnoldDw@talgov.com;  
Barrettb@talgov.com; CarterL@talgov.com; carverj@talgov.com;  
DavisJ@talgov.com; HubbardV@talgov.com; IngleseP@talgov.com;  
matteos@talgov.com; menendeg@talgov.com; ProctorJ@talgov.com;  
QuillinT@talgov.com; rolandc@talgov.com; SecreasA@talgov.com;  
WrightM@talgov.com; tom@tmi.cob.fsu.edu  
Cc: David McDevitt; Mike Clark  
Subject: Sunsetting Vested Rights

Fellow TCC Members,

Leon County is proceeding to make changes to our current Concurrency Policy and Procedures Manual regarding the calculation of vested residential in the Concurrency Management System. This action does not affect the development rights for non-residential parcels. At the July 8th workshop, the County Commission approved the staff recommendation to proceed with making changes to the Leon County Concurrency Ordinance and Policy and Procedures Manual regarding vested residential rights (trip reservation) and further recommended that the study be forwarded to the TCC and User Groups for comments. Attached is the entire workshop packet with all of attachments that was sent to the Board. We are requesting that you look over the packet and provide comments to me no later than July 23.

Brian S. Waterman  
Transportation Planner  
Leon County Dept. of Growth and Environmental Mgmt.

**CC:** "Allen, Tim" <AllenT@talgov.com>, "Barr, Lynn" <barrl@talgov.com>

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**From:** "Secreast, Allen" <SecreasA@talgov.com>  
**To:** "Brian Waterman" <WatermanB@mail.co.leon.fl.us>  
**Date:** 7/23/03 1:13PM  
**Subject:** RE: Sunsetting Vested Rights

Brian.....We have reviewed the study to make changes to the County's Concurrency Ordinance and Policy and Procedures at your request. We have no comments.

However, one observation to note is that it seems that even though the County may only have a minor amount of non-residential development that is vested, you may want to consider sunsetting all vested rights in order to really encourage development.

Let me know if you have any questions, or need any additional information. Thanks.

Allen R. Secreast, P.E.  
City of Tallahassee  
Acting City Traffic Engineer  
(850) 891-8261

-----Original Message-----

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Sent: Wednesday, July 09, 2003 11:35 AM  
To: Denny.Wood@dot.state.fl.us; june.coats@dot.state.fl.us;  
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matteos@talgov.com; menendeg@talgov.com; ProctorJ@talgov.com;  
QuillinT@talgov.com; rolandc@talgov.com; SecreasA@talgov.com;  
WrightM@talgov.com; tom@tmi.cob.fsu.edu  
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Fellow TCC Members,

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Brian S. Waterman  
Transportation Planner  
Leon County Dept. of Growth and Environmental Mgmt.

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**From:** "arpc6" <arpc6@gulf.net>  
**To:** "Brian Waterman" <WatermanB@mail.co.leon.fl.us>  
**Date:** 7/24/03 7:41PM  
**Subject:** Re: Sunsetting Vested Rights--TCC Members

Brian,

I've reviewed the materials you forwarded regarding the proposed Leon County Ordinance terminating vested rights. As you may recall, Apalachee Regional Planning Council commented on Tallahassee/Leon County Comprehensive Plan amendment

#03-1 in March 2003 and noted a possible conflict between the proposed ordinance and Section 380.06, Florida Statutes.

It's my understanding from information in the Workshop Report that Developments of Regional Impact, pursuant to Section 380.06, F.S., are currently vested under the Leon County Development Code and this status will not be affected by the proposed ordinance.

Therefore, it is my understanding the status of existing and future DRI's are not affected by this ordinance. If my understanding is incorrect (i.e. the ordinance does apply to DRI developments) then please notify me so I can better assess the impact of the ordinance on ARPC responsibilities.

Thank you for this comment opportunity.

Keith McCarron  
Apalachee Regional Planning Council

----- Original Message -----

From: "Brian Waterman" <WatermanB@mail.co.leon.fl.us>  
To: <ARPC6@gulf.net>; "Andrea Bird" <BirdA@mail.co.leon.fl.us>; "Harry Chaires" <CHAIRESH@mail.co.leon.fl.us>; "John Kraynak" <KRAYNAKJ@mail.co.leon.fl.us>; "Sally Dowlen" <SALLYD@mail.co.leon.fl.us>; "Tony Park" <TONYP@mail.co.leon.fl.us>; <plaa@mail.leon.k12.fl.us>; <Barrettb@talgov.com>; <CarterL@talgov.com>; <carverj@talgov.com>; <DavisJ@talgov.com>; <HubbardV@talgov.com>; <IngleseP@talgov.com>; <matteos@talgov.com>; <menendeg@talgov.com>; <ProctorJ@talgov.com>; <QuillinT@talgov.com>; <rolandc@talgov.com>; <SecreasA@talgov.com>; <WrightM@talgov.com>; <tom@tmi.cob.fsu.edu>  
Cc: "Mike Clark" <MIKEC@mail.co.leon.fl.us>  
Sent: Wednesday, July 23, 2003 11:00 AM  
Subject: Sunsetting Vested Rights--TCC Members

Just as a reminder, I need your comments regarding the packet I sent you by the end of the day today.

Brian S. Waterman  
Transportation Planner  
Leon County Dept. of Growth and Environmental Mgmt.

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**From:** "Hubbard, Valerie" <HubbardV@talgov.com>  
**To:** "Brian Waterman (E-mail)" <WatermanB@mail.co.leon.fl.us>  
**Date:** 7/28/03 5:49PM  
**Subject:** FW: Sunsetting Vested Rights

I guess I had forgotten that I had Kristen look at this, and here are the comments she sent. My only concern with her comments is that while I'd like to let projects in SSA keep their concurrency as an incentive, if that keep "real" (i.e., ones that are ready to go) projects from occurring in SSA, it wouldn't be worth it.

-----Original Message-----

**From:** Andersen, Kristen  
**Sent:** Thursday, July 10, 2003 3:17 PM  
**To:** Hubbard, Valerie  
**Subject:** RE: Sunsetting Vested Rights

This sunsetting of vested trips is the second component of the amendment we processed during Cycle 2003-1 (the Capital Circle NW concurrency amendment). Aside from that, eliminating some vested trips is a good thing because A) It frees up trips that were reserved for development that will never occur and B) Development that will occur that loses its vested status, will be reviewed under current concurrency procedures including mitigation requirements that are undoubtedly better than they were when these developments were originally granted approval. No doubt, this will make meeting traffic concurrency requirements easier for some developments, and dependant on your perspective, this is either good or bad. Since I am not a big fan of traffic concurrency, doubting its true effectiveness in yielding more capacity on roadways, I concur with viable projects being able to move forward rather than being sacrificed for projects that add phantom trips to the network and will never materialize.

Sunsetting vested trips also takes some of the development expectation away from projects that may not have been such a good idea to begin with such as subdivisions that are located in places outside of the USA, this may make it harder for these projects to secure financing which could be good. However, it will also eliminate projects that are vested and are within the SSA. It might be an incentive to let those projects within the SSA keep their vested status. Just a thought.

Kristen

-----Original Message-----

**From:** Hubbard, Valerie  
**Sent:** Wednesday, July 09, 2003 12:43 PM  
**To:** Andersen, Kristen  
**Subject:** FW: Sunsetting Vested Rights

Pls. provide me with some thoughts.

-----Original Message-----

**From:** Brian Waterman [mailto:WatermanB@mail.co.leon.fl.us]  
**Sent:** Wednesday, July 09, 2003 11:35 AM  
**To:** Denny.Wood@dot.state.fl.us; june.coats@dot.state.fl.us;